

The Libertarian Party of Florida

"When the government's boot is on your throat, whether it is a left boot or a right boot is of no consequence." - Gary Lloyd



OFFICE OF GENERAL
COUNSEL

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FEDERAL ELECTION
COMMISSION

AOR 2010-13

Federal Election Commission
Office of General Counsel,
999 E Street, N.W.,
Washington, DC 20463

To the honorable members of the Federal Election Commission:

May this letter serve as a request for an Advisory Opinion. I am the treasurer for the Libertarian Party of Florida and this is prompted by your request for our advisory opinion request for status as a 'State Party' under 2 U.S.C. 431(15).

1. We have been authorized by the State of Florida as the Libertarian State Committee for longer than we have institutional memory. In that time we have regularly fielded candidates for state and local offices from district water boards to state senate and house. This 2010 election cycle is the first time we have met the threshold for filing with a candidate for national office. Our candidate for US Senate, Alex Snitker, qualifies us at the national level as required in 2 USC 431(2) and 431(16)
2. We are the sole recognized affiliate of the Libertarian National Committee and the Libertarian Party of the United States for the state of Florida and as such are responsible for the state level running of the party on a day to day basis. This satisfies the requirements as stated in AO 2004-40 and 2004-34.
3. Our organization's Constitution, By-Laws and Standing Rules have been long established and authorize this committee and party to further delegate county and regional affiliates and control the use of the name 'Libertarian Party' within the state of Florida. This also satisfies the requirements of AO 2004-40 and 2004-34

I have attached as evidence of the above qualifications:

- a) The record of our status within the state of Florida as a 'State Party'
- b) A letter from the Libertarian Party of the United States reflecting our status as the sole state affiliate for Florida with the day to day responsibility of operations
- c) Copies of the Libertarian Party of Florida Constitution and By-Laws.

I trust that this is satisfactory to establish our status. The depth, breadth and threats of the bureaucracy are duly noted.

Sincerely,

James Tall
Treasurer

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790



Florida Division of Elections



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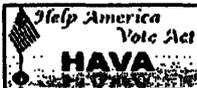
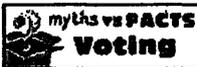
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Committee Tracking System

Libertarian Party of Florida

Type: Party Executive Committee

Status: Active

Address: Post Office Box 3012
Winter Park, FL 32790

Phone: (407)385-0055

Chairperson: John Jude "JJ" McCurry
682 South Lakemont Avenue
Winter Park, FL 32792

Treasurer: Jack Tanner
5901 Pendragon Lane
Fl. Myers, FL 339121600

Registered Agent: None

Purpose:

Affiliates:

[Campaign Finance Activity](#)



LIBERTARIAN NATIONAL COMMITTEE, INC. - ROBERT S. KRAUS - OPERATIONS@LP.ORG
2600 VIRGINIA AVE NW - THE WATERGATE, SUITE #200 - WASHINGTON, DC 20037
PHONE: 202.333.0008 x231 - FAX: 703.935.8015

To: Whom It May Concern
Fr: Robert S. Kraus - Director of Operations
Re: LP Affiliate

Please note:

Per our Bylaws, the Libertarian National Committee (FEC Committee ID: C000255695) recognizes the following as our sole affiliate for the State of Florida:

The Libertarian Party of Florida
J. J. McCurry- Chair
PO Box 3012
Winter Park, FL 32790
(407) 385-0055

This affiliate has been recognized by our Secretary as our sole qualifying organization in Florida. Our Secretary has certified that they have adopted the Statement of Principles and filed a copy of their Constitution and Bylaws with our National Office.

The LPFL is qualified and authorized per our Party Bylaws to determine who shall be its delegates to all Regular National Libertarian Party Conventions representing their state.

Please feel free to contact us if you have any questions regarding the status of the LPFL within the LNC.

Thank you in advance,

Robert S. Kraus
Director of Operations

The Libertarian Party

of Florida



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The Party Constitution

ARTICLE I Name & Object

Section 1.

The name of this organization shall be the Libertarian Party of Florida, hereinafter referred to as the LPF.

Section 2.

The object and purpose of the LPF is to engage in political action in the State of Florida, to serve as an affiliate organization of the Libertarian Party in national politics, and to serve as a nucleus for designated county affiliate organizations in matters of state-wide political action.

Section 3.

The purpose of the LPF is to implement and give voice to the principles embodied in the Statement of Principles currently adopted by the LPF by:

- a) Supporting candidates for national office, nominating and supporting candidates for state and congressional district offices, and aiding local affiliates upon request.
- b) Promoting, chartering and coordinating county affiliate parties within the State of Florida.
- c) Entering into political information activities, including the promoting and securing of party members.

ARTICLE II Membership

Section 1.

LPF membership is open to whoever signs the pledge: *"I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals."*

Section 2.

Matters pertaining to membership classification shall be prescribed

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790

in the Standing Rules.

Section 3.

Affiliate organizations which choose to become affiliated parties of the LPF shall apply for official designation on a standard petition form for County Affiliates, as adopted by the Executive Committee and subject to the By-Laws and Standing Rules.

Section 4.

No change in the By-Laws or Standing Rules may have the effect of imposing a head tax on the membership. (Moved to Article 4 from the Standing Rules at the Annual Business Meeting, 6-2-91; moved to this section at the Annual Business Meeting, 6-6-93)

Section 5.

No change in the By-Laws or Standing Rules may have the effect of disenfranchising a member. (Moved to Article 4 from the Standing Rules at the Annual Business Meeting, 6-2-91; moved to this section at the Annual Business Meeting, 6-6-93)

Section 6.

No change in the By-Laws or Standing Rules shall deny the autonomy of an individual member or an affiliate party, except as provided in the Constitution. (Moved to Article 4 from the Standing Rules at the Annual Business Meeting, 6-2-91; moved to this section at the Annual Business Meeting, 6-6-93)

NOTE: During the 2006 LPF Convention (Boca Raton, FL) an Amendment was passed requiring that, to be a Member of the Libertarian Party you could NOT be a member of and/or have voter registration with any other Party (such as Democrat, Republican, Green, Independent, etc.)
3-25-06

ARTICLE III Officers, Executive Committee & Standing Committees

Section 1.

The Officers of the LPF shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. The duties and election of the Officers shall be specified in the By-Laws.

Section 2.

The Executive Committee shall be composed of the Officers, three (3) Directors-at-Large, one (1) Regional Representative for each region elected at the Annual Business Meeting within the provision of the By-Laws. (Amended at the Annual Business Meeting, 6-6-93) The powers and duties of the Executive Committee shall be prescribed in the By-

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790

Laws and Standing Rules, to provide the control and management of all the affairs, properties, and funds of the LPF consistent with this Constitution. Deficit spending shall be prohibited. (Last sentence added at the Annual Business Meeting, 6-4-94)

Section 3. Standing Committees

A. Standing Committees of the LPF shall include the following:

- 1. Rules Committee**
- 2. Nominating Committee**
- 3. Platform Committee**
- 4. Electoral Victory Committee**
- 5. Membership Committee**

B. Committees and Committee Chairs shall be appointed by the Chair of the LPF with the approval of the Executive Committee unless otherwise provided in the Constitution. Actions of all Committees shall be reported to the Executive Committee.

Section 4. Rules Committee.

The Rules Committee will be composed of the Chair, Secretary and three (3) other members of the party not on the Executive Committee, one of whom shall be appointed annually by the Chair to serve a three-year term. The appointed members with the longest tenure on the Committee shall chair the Committee. The Rules Committee shall be responsible for interpreting the Constitution based on current Florida Statutes (added at annual business meeting, 29 March 2008, Orlando) and upon order of the Executive Committee shall prepare and submit amendments to the Constitution and By-laws for a vote by the membership at the Annual Business Meeting.

Section 5. Nominating Committee.

The Nominating Committee shall consist of five (5) members, elected at the Annual Business Meeting from diverse regions of the state. Vacancies on this committee occurring after the Annual Business Meeting may be filled by the Chair with the approval of the Executive Committee. The Nominating Committee shall perform its duties according to Article IV, Section 5C* of the By-Laws. (*Note: Typo was noted and corrected at March 2007 Convention)

Section 6. Platform Committee.

The Platform Committee shall be nominated by the Chair of the LPF with the advice and consent of the Executive Committee and contain such members as can work together to present the document at the Annual Business Meeting. It shall perform its duties to present a document as outlined in Article V.

Section 7. Electoral Victory Committee.

The Electoral Victory Committee is appointed to serve as the Nominating Committee for Candidates for Political Office. The Electoral Victory Committee is directed to implement Political Candidate Endorsement procedures as may be outlined in the Standing Rules.

Section 8. Membership Committee.

The Membership Committee shall be appointed by the Executive Committee and shall consist of at least five (5) members of the LPF with the majority NOT being members of the Executive Committee. The Committee shall include the Membership Secretary for the party, and shall oversee the activities of the Membership Secretary, giving assistance where needed. The principle duties of the Membership Committee shall be responsibility for increasing the membership in the LPF and for increasing the LP voter registration. The Membership Committee is also responsible for recruiting members both for the Affiliate and for the LPF. The Membership Secretary shall be responsible for maintaining party membership records and/or sending out dues notices on a timely basis to those members whose dues are about to lapse. (Entire Article III passed at the Annual Business Meeting, 6-6-93)

ARTICLE IV Conventions & Meetings

Section 1.

The LPF shall hold an annual convention in accordance with the provisions of the By-Laws and Standing Rules.

Section 2.

The conduct of the business and meetings of the Executive Committee shall be prescribed in the By-Laws and Standing Rules.

ARTICLE V Statement of Principles, Platform & Nominations

The Statement of Principles of the Libertarian Party is hereby ratified. The LPF may develop a Statement of Principles consistent with the Libertarian Party's as a preamble to the Platform developed by the Convention, and as prescribed by this Constitution, By-Laws, and Standing Rules.

ARTICLE VI Adoption & Amendments

Section 1.

This Constitution shall be adopted when approved by two-thirds of the delegates of the 1974 Convention.

Section 2.

Amendments to the Constitution may be made in the following manner:

A. Amendments must be published among the Executive Committee, the County Affiliates and all members in good standing, thirty (30) days prior to the Annual Business Meeting and passed by two-thirds of the members present at that meeting.

B. Upon establishment of affiliates in each county in Florida, a proposed Amendment can be accepted by a three-fourths vote of the Executive Committee and ratified by three-fourths of the county affiliates. (Sections A and B passed at the Annual Business Meeting, 6-6-93)

The Libertarian Party of Florida

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The BY-LAWS of The Libertarian Party of Florida

ARTICLE I Objects and Purposes

Section 1.

The LPF shall not initiate any political action in a county affiliate's political domain. except get out the vote, voter registration drives, fundraising, or establishing new county affiliates

Section 2.

A county affiliate may request political information and action from the LPF.

Section 3.

The autonomy of an affiliate party shall not be abridged by the LPF Executive Committee, or other officer, committee or agent of the LPF - except as provided in the Constitution and By-Laws.

ARTICLE II Membership

Section 1.

The privileges and duties of membership and delegate authority shall be prescribed in the Standing Rules.

Section 2.

Membership classifications, privileges, duties and dues structures shall be provided in the Standing Rules.

Section 3.

County affiliated parties shall be required to ratify the Constitution and By-Laws of the LPF along with a standard petition form adopted by the Executive Committee, subject to all specifications in the Standing Rules.

Section 4.

Suspension of county affiliated parties shall be reserved to the

Executive Committee. The Executive Committee shall have the power to suspend affiliate status from any organization by two-thirds vote. Such notification of suspension is subject to a written appeal within thirty (30)

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790

days of the notification of suspension. Failure to appeal shall be interpreted as an act of secession by the affiliate. The suspension shall not be made within a period of six (6) months subsequent to an Annual Business Meeting.

Section 5.

The affiliate may appeal to the next Annual Business Meeting for reinstatement.

Section 6.

Suspension of officers or membership shall be conducted under the rules of suspension for affiliates as outlined in Sections Four (4) and Five (5) of this Article.

ARTICLE III Executive Committee (Title revised at the Annual Business Meeting, 5-25-97)

Section 1.

The Officers and Directors-at-large of the Executive Committee shall be elected at the Annual Business Meeting by the delegate assembly majority vote for a period of two (2) years. The Chair, Vice-Chair and odd numbered Directors-at-large shall be elected in odd numbered years. The Secretary, Treasurer, and even numbered Directors-at-large shall be elected in even numbered years and in 2001. Regional Representatives shall be elected at the Annual Business Meeting and shall serve for a period of one (1) year. These Executive Committee members shall take office upon the close of the Annual Business Meeting and serve thereafter until the final adjournment of the Annual Business Meeting at which their terms expire. (Revised at the Annual Business Meeting, 3-3-01)

- A. No offices shall be combined.
- B. The Executive Committee shall fill vacancies by appointment.
- C. The LPF should be notified within seven (7) days of the resignation of an Officer or member of the Executive Committee. (Amended at the Annual Business Meeting, 6-6-93)
- D. No member of the Executive Committee or Standing Committees shall serve unless and until proof and maintenance of registration to vote as Libertarians in the State of Florida has been demonstrated to the Executive Committee. (First passed at the Annual Business Meeting, 5-28-89, reworded and passed at the Annual Business Meeting, 6-6-93)

Section 2. Duties

A. The Chair shall be the head of the LPF, presiding over all meetings of the party, convention, and Executive Committee. The Chairperson is the official spokesperson for the LPF, subject to the dictates of the constituted authorities of the Executive Committee and Convention.

B. The Vice-Chair shall serve as presiding officer in the absence of the Chair; shall be responsible for the committee work of the LPF; shall represent the committees at executive sessions; and shall serve as ex officio member of all committees.

C. The Secretary shall serve as recorder for all meetings of the party, conventions, and Executive Committee. The Secretary shall be the custodian of the minutes of all meetings, correspondence, committee reports, and the Constitution, By-Laws and Standing Rules, and shall make provision for legal service to the LPF. (Amended at the Annual Business Meeting, 6-6-93)

D. The Treasurer shall be custodian of all funds, receiving and disposing of the funds at the discretion of the Executive Committee and subject to the Standing Rules.

E.

- a) The Executive Committee shall be responsible for creating a committee to maintain a current contact list of experts in fields related to election issues or interest in Libertarian candidates for use as data and advisory sources.
- b) The Executive Committee shall establish a legislative review committee for the purpose of identifying Florida laws for change or repeal, and for making specific wording recommendations for use by Libertarian candidates and officers. (Entire subsection § added 3-29-08, Orlando)

Section 3. Meetings of the Executive Committee

A. The powers and duties of the Executive Committee are prescribed by the Constitution, By-Laws and Standing Rules, and by the direction of the party at the Annual Business Meeting.

B. The Executive Committee shall meet as prescribed in the Standing Rules.

C. A quorum of the Executive Committee shall be eight (8) members of the Committee. (Quorum replaced by this number from seven (7) at the Annual Business Meeting 6-6-93)

D. Notice of all Executive Committee Meetings including location and call-in or webinar information will be sent to all County Chairs at least 14 days in advance to allow general membership attendance.

E. The EC shall make readily available, through the county chairs, all records of the EC including constitution, bylaws, standing rules, meeting minutes, agendas and financial reports. Making the EC Yahoo group (or its successor) available in a read only fashion to county chairs shall be deemed to satisfy this requirement.

F. The EC shall make readily available, through the county chairs, all motions being considered by extra-meeting vote as in Standing Rules Article V, Section 2

ARTICLE IV Meetings & Conventions, Objects of Action

Section 1. Annual Convention Dates

The Executive Committee shall set the date(s) of the Convention and Annual Business Meeting of the Libertarian Party of Florida with proper notice while coordinating with the host county affiliate. The date(s) shall be within six (6) months prior to due date of Libertarian National Convention delegate list submission. (Section inserted and other sections renumbered at the Annual Business Meeting, 10-8-00, Section amended 2-6-05 and 3-29-08).

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790

Section 2. Agenda

A. The Executive Committee shall set the agenda and business of the LPF Annual Business Meetings and conventions.

B. The order of business must include the adoption of agenda. The meeting may amend the agenda by majority vote.

Section 3. Delegates

A. Delegates shall be members as prescribed in ARTICLE II of the Constitution. Each delegate must have been a member of the LPF and a registered Libertarian voter in Florida for at least 60 days prior to the Annual Business Meeting; the 60 day rule may be suspended by two-thirds vote of the delegate assembly seated at the opening of the Annual Business Meeting who have met the 60 day requirement (Semi-colon and section after the semi-colon added at the Annual Business Meeting 2-1-03). The officers of the Party shall be the officers of the Annual Business Meeting. (Second sentence passed at the Annual Business Meeting, 6-4-94 and revised at the Annual Business Meeting, 5-24-97) (Revised at the Annual Business Meeting, 2-1-03)

B. Each delegate must sign the Libertarian Party of Florida Affirmation of Qualifications for Delegate form. (Amended at the Annual Business Meeting 3-3-01) (Reworded at the Annual Business Meeting 2-1-03)

C. Credentials: Each affiliate chair shall be responsible for submitting a list of delegates from his/her county to the Secretary of the LPF at least 45 days prior to the start of the general business meeting of the convention. Each Regional Representative of the LPF shall be responsible for submitting a list of delegates from each unaffiliated county in his/her region, to the Secretary of the LPF at least 45 days prior to the start of the general business meeting of the convention. Individual members may submit their own names to the Secretary of the LPF. The Secretary of the LPF, or his/her authorized representatives, shall be responsible for verifying the membership and voter registration requirements of each delegate. (Sections B and C passed at the Annual Business Meeting, 6-5-94; revised at the Annual Business Meeting, 5-24-97)

Section 4. Parliamentary Authority

Robert's Rules of Order as most recently revised shall be the parliamentary authority for all matters not covered by the Constitution, By-Laws and Standing Rules.

Section 5. Annual Conventions

A. The Executive Committee shall APPOINT the committees and host affiliate at least one hundred eighty (180) DAYS before the date of the annual convention. (Amended at the Annual Business Meeting, 3-3-01). The Executive Committee shall also NOTIFY the state party members at least 60 DAYS before the Annual Business Meeting. (Added at the Annual Business Meeting 3-3-01).

B. The committees shall report recommendations to the floor of the convention at the Annual Business Meeting in accordance with the Standing Rules.

C. The Nominating Committee shall compile the nomination applications for delegates to the National Convention and state officers and Executive Committee. It shall present these candidates to the membership at

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790

the Annual Business Meeting without recommendation. Nominations from the floor may be made to amend this report.

D. The Platform Committee shall make recommendations for the platform and Statement of Principles.

E. The Rules Committee shall be the deliberative body in matters of dispute and its decisions may be appealed to the Executive Committee or the members at the Annual Business Meeting in assembly according to the Standing Rules.

F. The host affiliate shall serve as the Convention Committee and make all arrangements for the physical needs of the convention. Party meetings may also be hosted by affiliates.

G. The Chairperson or the Executive Committee may appoint such committees as are deemed necessary to conduct the business of the LPF and its meetings.

Section 6. Finance and Accounting

A. The fiscal year of the LPF shall begin on January 1 of each year.

B. The Treasurer shall be the chief finance officer.

C. The Executive Committee shall cause an efficient system of accounting and budgeting to be installed and maintained, including audit and legal necessities. All expenditures exceeding \$25.00 shall be made by check.

D. The party checking account must be established to require two signatures per check on all checks in excess of \$500. The Treasurer shall be responsible for signing checks in the normal course of business. There must be, at least, three (3) authorized signatures on the checking account. The signers will include the Chair, Vice Chair, Secretary and the Treasurer. When a check is issued to a signer, other authorized signer(s) must sign and/or cosign this check.

E. The Executive Committee shall have the power to delegate the handling of funds.

F. It is essential for any growing organization to have good accounting practices. The following items shall be established as requirements for expenditure of Party funds. (Amended at the Annual Business Meeting (3-3-01)

1. Each Executive Committee member or Committee Chair, requesting, reimbursement for expenses, shall submit an expense report each month to the Chair for approval prior to being reimbursed by the Treasurer. Such a report shall list dates, items purchased, reasons, and shall be accompanied by receipts. These reports shall include only minor operating expenses unless the Executive Committee gave prior authorization.
2. No purchase shall be made or authorized by the LPF unless there are sufficient funds to recompense.
3. No one shall have the authority to contract for goods or services on behalf of the LPF without prior written approval of the Executive Committee.
4. It shall be the intent of the LPF to conduct its business affairs in a fair and honorable fashion.

ARTICLE V Adoption & Amendments

Adoption of the By-Laws will be consistent with the adoption of the Constitution.

Section 2.

Amendments may be made in the following manner:

- A. When a proposed amendment is accepted by the Rules Committee and ratified by more than 50% of the affiliated Parties, or
- B. When a proposed amendment is presented by the Rules Committee or from the floor at the Annual Business Meeting and is approved by a majority vote of the delegates.

The Libertarian Party

of Florida



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The STANDING RULES of The Libertarian Party of Florida

ARTICLE I Membership

Section 1.

The LPF shall supervise the efforts to provide party registration under state and federal voting laws.

Section 2.

Members registered for the meetings have the privilege of delegate voting at the Annual Business Meeting, the right of appointment to committees, the right to attend committee meetings as observers or witnesses, the right to nomination and election to party office, and the right to nomination to an office for which they are qualified by law.

Section 3.

Membership shall be issued annually. This membership shall be credentials for all meetings and Annual Business Meetings of the LPF and for membership in local affiliates, subject to procedures adopted by the county affiliates.

Section 4.

All General (\$0), Student (\$15), and **Sustaining (\$25)** members are required to have a signed pledge card on file with the Secretary. All members having sixty (60) days tenure may vote at the State Annual Business Meeting. Student members and above are entitled to the "Florida Liberty" newsletter. Effective July 1, 1996, the LPF adopts the Unified Membership with, and the fee schedule of, the National Libertarian Party, for those categories above student membership. (Amended by Executive Committee, 5-25-96, by **Convention, 3-29-08**)

ARTICLE II Fees & Donations

Section 1.

The membership fee may be set or changed by the general membership. Donations should be made to the LPF in keeping with the laws governing donations to political parties and candidates. Such funds shall be expended at the discretion of the Executive Committee.

The Libertarian Party of Florida Executive Committee
PO Box 3012 Winter Park, Florida 32790

ARTICLE III County Affiliates

Section 1.

Any county may call an organizational meeting to affiliate with the LPF.

Section 2.

The Constitution and By-Laws of the LPF must be approved by a majority vote.

Section 3.

An application for affiliation must be signed by the elected officers and filed with the LPF Secretary.

Section 4.

Any additional By-Laws or Standing Rules adopted by the county affiliate shall be filed with the LPF Secretary.

Section 5.

The petition to affiliate should list members of the LPF paying dues. County affiliates are required to send to the LPF Executive Committee:

A. Copy of their annual audit, that was also sent to their local county elections office prior to April 1. The audit will not require preparation by a C.P.A. RE: State statute 103.121 (2)

B. Annual list, prior to April 1, of officers with title, mail address, email address, and phone number. (Subsections A & B added by Executive Committee 9 MAR 2008)

No county affiliate shall endorse a candidate for state-wide office who has opposition by a candidate endorsed or nominated by the LPF.

Section 7.

The county affiliate may petition the LPF or its officers or committees on any political matter.

ARTICLE IV Election of Officers, Directors, Candidates

Section 1.

All candidates for office and political office may be asked to confirm certain basic principles before the convention. This may be delegated to the Nominating Committee for candidates for party office (including Delegates to the National Convention of the Libertarian Party and Presidential Electors) and to the Electoral Victory Committee for Candidates for political office, and includes confirming that they are members of the State Party and registered to vote in the state as Libertarians. (Passed by the Executive Committee 1-16-93, delineating 2 committees, Executive Committee, 7-10-93, amended by the Executive Committee 3-6-96 and 7-27-96)

Section 2.

All candidates for officers, directors, and political office shall file intention forms with the nominating committee or with the secretary as nominated from the floor. These will be provided by the committee.

Section 3.

Such forms should be on file before the Executive Committee names a person to fill the vacancy.

Section 4.

Candidates nominated must be able to serve if elected. Delegates and Alternates to the National Convention of the Libertarian Party, not otherwise elected at an LPF convention, may be designated by a majority vote of those members of the LPF Executive Committee in attendance at the National Convention. (Passed by the Executive Committee, 6-5-96)

ARTICLE V Executive Committee Meetings

Section 1.

The Executive Committee shall meet at such time and place as directed by the Chairperson, or at the written request of one-third or more of the Executive Committee, or by the written request of a county affiliate. Notice shall be given in such manner to insure a quorum.

Section 2.

The Executive Committee may without meeting, conduct business by communication, voting on questions put to them by or with the approval of the chairperson. Such vote shall be kept by the Secretary until the next meeting and then such vote shall be incorporated in the minutes. A majority vote of the committee shall prevail. If a majority of affirmative votes is not recorded within fifteen (15) days, the question will have failed to pass. (Amended by the Executive Committee, 7-10-93)

Section 3.

Proxy voting shall not be allowed, but members can vote on specific questions by written notice. Voting by telephone can be conducted if no objection is raised.

Section 4.

The Executive Committee, after review with the affiliate concerned, may, by a two thirds vote, suspend the affiliation of a county party, a member of the party, or an officer or director of the Executive Committee.

Section 5.

The immediate past Chairperson shall serve on the Executive Committee and be entitled to all due notices, but shall not have the right to vote unless entitled to vote because of election to another Executive committee position. (Amended by the Executive Committee, 7-10-93)

Section 6.

Non-attendance of a member at three (3) meetings per term can be construed by the Executive Committee as resignation of that member and grounds for replacement by the Executive Committee until the next annual meeting of the party. (Passed by the Executive Committee, 10-4-92)

ARTICLE VI Convention Rules

Section 1.

A minority report may be made by two members or 10% of the committee on any plank of the platform or changes under the Rules Committee. There shall be a limit of two minority reports on any one of the items. The highest number of votes shall determine the rank of the reports.

Section 2.

The Chairperson of the committee shall decide the order of business and the appearance of persons before the committee.

ARTICLE VII Statement of Principles, Platform & Policy

Section 1.

The Statement of Principles of the party and Platform of the Libertarian Party may be ratified by the LPF.

Section 2.

A supplement party platform for Florida politics may be presented to any annual convention.

Section 3.

The LPF may adopt resolutions to present to the National Libertarian Party convention.

Section 4.

The affiliates reserve the right to adopt local platforms.

Section 5.

A vote of two-thirds of the general membership shall be required to veto the Statement of Principles and subject the LPF to suspension from the National Party.

Section 6.

A vote of two-thirds of the general membership shall be required before the LPF will not actively support the National platform or candidate.

ARTICLE VIII Spokesmanship

Section 1.

The Chairperson shall speak for and at the direction of the Executive Committee and the Party.

Section 2.

Persons speaking for the LPF shall have the express approval of the Chairperson or reserve their comments to personal comments.

Section 3.

Candidates may only publicly label themselves as Libertarian candidates after being nominated by the convention or after receiving conditional approval from the appropriate state or county Executive Committee. (Approved by the Executive Committee, 1-12-92)

ARTICLE IX Proprietary Use of 'LPF'

(Entire Article added at NOV 2007 Executive Committee Meeting)

Section 1.

In recognition of the fact that the label "LPF" is frequently used to refer to the Libertarian Party of Florida, the members of the the LPF should adhere to the following guidelines:

- A.** Any website, discussion forum, email list server, or other similar entity, including, but not limited to, Yahoo groups and Google groups (hereinafter "web entities") that use the label "LPF" in its name shall be owned and operated only by current members of the Executive Committee of the Libertarian Party of Florida and its recognized affiliates;
- B.** Each web entity shall be owned, when practicable, by three current members of the Executive Committee of the Libertarian Party of Florida, one of which shall include the current Chair of the Libertarian Party of Florida, and, if the web entity is limited in scope to a county where an affiliate is recognized, the Chair of the local affiliate of the Libertarian Party of Florida;
- C.** If ownership cannot be practically shared due to the nature of the web entity, the Chair of the Libertarian Party of Florida, and, if applicable, the Chair of any local affiliate, shall be moderators of the web entity;
- D.** If the conditions of b. and c. cannot be satisfied, the operator or owner of the web entity shall seek the written authorization of the Chair of the Libertarian Party of Florida, and, if applicable, the Chair of any local affiliate to create or continue operating said web entity.
- E.** If any member operates a web entity that frequently includes discussion that references the LPF or could reasonably be mistaken by a member of the general public as authorized communication by the LPF, such member should cause to be included within the web entity a disclaimer similar to the following in form and meaning: "The contents of this site (group, etc.) are not authorized or approved by the the Libertarian Party of Florida or any of its affiliates."

Section 2.

The LPF recognizes and respects the rights of others to use the label "LPF" to accurately refer to the Libertarian Party of Florida. The LPF also asserts its right to maintain control over any use of the label "LPF" that may cause confusion as to the source and authenticity of any content included in any web entity.

Section 3.

The LPF, through the Chair, shall designate members to serve as owners and moderators of web entities. Said members will serve in such roles at the discretion of the Chair and may be removed from such position at any time by the Chair.

Section 4.

The owners of any web entity shall have the authority to terminate said entity, but shall take all reasonable action to preserve the contents and history of such web entity prior to its termination.

Section 5.

The owners and moderators of any web entity should establish and publish policies consistent with the purposes of the web entity and consistently enforce said policies. Said enforcement should be at the discretion of the owners or moderators, subject to the authority of the Chair of the Libertarian Party of Florida to remove and change the owners or moderators of any web entity.

Section 6.

All archives, document stores, electronic data, etc. that were created by, at the direction of, or authorized by the LPF remain its property and such archive or web entity should be owned and operated as directed in 1. However, the LPF expressly acknowledges the right of any person to compile and publish public information, so long as the compilation or publication cannot be reasonably mistaken as action taken by or authorized by the LPF.

ARTICLE X Annual Convention Agenda

Section 1.

The Executive Committee shall manage all conventions.

Section 2.

Any members may request the Executive Committee to include on the agenda any item. Such request shall be in writing to the Chairperson thirty (30) days prior to the convention, or within seven (7) days following the announced date and place of the convention, whichever is closest to the convention date.

Section 3.

The agenda must include all items required by the By-Laws and Standing Rules.

Section 4.

The Rules Committee may establish and publish convention rules to supplement existing requirements and Standing Rules. The Chairperson may exercise this right unless one third of the delegates object.

ARTICLE XI Annual Convention Dates

Section 1.

Unless the Executive Committee sets a different date, the annual convention of the LPF shall be held in the fall of each year. (Amended by the Executive Committee, 8-19-00)

Section 2.

Special meetings of the LPF may be called by the Executive Committee or by two (2) county affiliates, or by twenty-five percent (25%) of the county affiliates, whichever is the largest.

ARTICLE XII Annual Convention Delegates & Procedures

Section 1.

Motions to be offered in the business meetings should be reduced to writing, signed by the maker and seconded, and filed with the Secretary; except for routine matters, agenda items or short wording, or with leave of the Chairperson to omit written motions.

Section 2.

The Annual Meeting Minutes (after approval by the Executive Committee) as well as any Committee reports to the Annual Meeting, including amendments to the Constitution and By-Laws, shall be printed and distributed at the next Annual Meeting. (Passed by the Executive Committee, 1-16-93; amended 3-25-95)

ARTICLE XIII Nomination of Political Candidates

Section 1.

Nominees for political office must be members of the LPF.

Section 2.

Endorsement of political candidates may be made regardless of party affiliation, unless said candidate is opposed by a nominee of the LPF.

Section 3.

The LPF will refund to each candidate for political office all party assessment fees paid to the LPF by the state from that candidate's qualifying fees, provided the candidate has been endorsed by the LPF in accordance with its By-Laws and Standing Rules to run as a Libertarian. (Passed by the Executive Committee, 3-13-99)

ARTICLE XIV Amendments To the Standing Rules

Section 1.

Adoption of the Standing Rules will be consistent with the adoption of the Constitution.

Section 2.

The Standing Rules may be changed by a majority vote of the delegates to the annual convention or by two-thirds vote of the Executive Committee.



"James Tall"
<jim@tallnetworking.com>
07/01/2010 06:08 PM

To <jlevin@fec.gov>, <treasurer@lpf.org>
cc <ARothstein@fec.gov>, <ESpengler@fec.gov>,
<mjohnson@fec.gov>, <jeansbrother@gmail.com>
bcc
Subject RE: Request from the Libertarian Party of Florida

Good Afternoon,

Thank you for your attention to our advisory opinion request.

In response to your email request for clarification:

1. The memorandum from Robert Kraus, Director of Operations of the Libertarian National Committee, which was attached to our Request for an Advisory Opinion, came to me directly from Mr. Kraus in an email dated June 15, 2010.
2. To the best of the institutional knowledge of the board members currently active and the former treasurer having held the post for 8 years ending this past April, the Libertarian Party of Florida has not provided financial or ballot access assistance for any candidate for federal office prior to Alex Snitker who is running for US Senate this year (2010). The reporting requirements have, in the past, caused us to consciously refrain from any such activity since this causes us to file with the state of Florida and the Federal Government - both with different rules - and causes a level of complexity we have previously been unwilling to entertain.

Please don't hesitate to contact me with any further questions or requests for clarification.

Yours In Liberty,

James Tall, Treasurer
Libertarian Party of Florida

From: jlevin@fec.gov [mailto:jlevin@fec.gov]
Sent: Thursday, July 01, 2010 5:28 PM
To: treasurer@lpf.org
Cc: ARothstein@fec.gov; ESpengler@fec.gov; mjohnson@fec.gov
Subject: Request from the Libertarian Party of Florida

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FEDERAL ELECTION
COMMISSION
2010 JUL -2 AM
OFFICE OF GENERAL
COUNSEL

Dear Mr. Tall:

In your telephone conversation yesterday with this Office, you provided us with additional information regarding the request by the Libertarian Party of Florida for an advisory opinion. We have set out below our understanding of certain points that you made during the conversation. Please review the statements below and either confirm their accuracy or correct any misperceptions.

1. The Libertarian Party of Florida received the undated memorandum from Robert S.

Kraus, Director of Operations of the Libertarian National Committee, that was attached to your letter requesting an advisory opinion, in early June 2010.

2. Alex Snitker is the only Federal candidate to whom the Libertarian Party of Florida has provided financial support or assisted in securing placement on the ballot in Florida.

We would appreciate your response by email. This email and your response may become a supplement to your advisory opinion request and, if so, will be made available to the public by the Commission.

Thank you very much for your cooperation.

Sincerely,

**Jonathan M. Levin
Senior Attorney
Office of Geeral Counsel
Federal Election Commission**